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105TH CONGRESS
2D SESSION

S. 2410

To amend titles XIX and XXI of the Social Security Act to give States the option of providing medical assistance to certain legal immigrant children and to increase allotments to territories under the State Children's Health Insurance Program.

IN THE SENATE OF THE UNITED STATES

JULY 31, 1998

Mr. GRAHAM (for himself, Mr. MOYNIHAN, and Mr. D'AMATO) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend titles XIX and XXI of the Social Security Act to give States the option of providing medical assistance to certain legal immigrant children and to increase allotments to territories under the State Children's Health Insurance Program.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Medicaid and Chil-
5 dren's Health Improvement Amendments of 1998".

1 SEC. 2. STATE OPTION TO COVER LEGAL IMMIGRANT CHIL-
2 DREN UNDER MEDICAID AND THE CHIL-
3 DREN'S HEALTH INSURANCE PROGRAM.

4 (a) MEDICAID.—Section 1902(a)(10)(A)(ii) of the
5 Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is
6 amended—

7 (1) by striking “or” at the end of subclause
8 (XIII);

9 (2) by adding “or” at the end of subclause
10 (XIV); and

11 (3) by adding after subclause (XIV) the follow-
12 ing new subclause:

13 “(XV) who are described in sec-
14 tion 1905(a)(i) and who would be eli-
15 gible for medical assistance (or for a
16 greater amount of medical assistance)
17 under the State plan under this title
18 but for the provisions of section 403
19 or section 421 of Public Law 104-
20 193, but the State may not exercise
21 the option of providing medical assist-
22 ance under this subclause with respect
23 to a subcategory of individuals de-
24 scribed in this subclause.”.

1 (b) CHILDREN'S HEALTH INSURANCE PROGRAM.—

2 Section 2110(b) of the Social Security Act (42 U.S.C.
3 1397jj(b)) is amended—

4 (1) in paragraph (1)(A), by inserting before the
5 semicolon “(including, at the option of the State, a
6 child described in paragraph (3)(B))”; and

7 (2) in paragraph (3)—

8 (A) by striking “SPECIAL RULE.—” and
9 inserting “SPECIAL RULES.—

10 “(A) HEALTH INSURANCE COVERAGE.—”;
11 (B) by indenting the remainder of the text
12 accordingly; and

13 (C) by adding at the end the following new
14 subparagraph:

15 “(B) ELIGIBILITY FOR LEGAL IMMIGRANT
16 CHILDREN.—For purposes of paragraph (1)(A),
17 a child is described in this subparagraph if—

18 “(i) the child would be determined eli-
19 gible for child health assistance under this
20 title but for provisions of sections 403 and
21 section 421 of Public Law 104-193; and

22 “(ii) the State exercises the option to
23 provide medical assistance to the category
24 of individuals described in section
25 1902(a)(10)(A)(ii)(XV).”.

1 SEC. 3. INCREASED ALLOTMENTS UNDER CHILDREN'S
2 HEALTH INSURANCE PROGRAM FOR TERRI-
3 TORIES.

4 (a) IN GENERAL.—Section 2104(c) of the Social Se-
5 urity Act (42 U.S.C. 1397dd(c)) is amended by adding
6 at the end the following new paragraph:

7 "(4) ADDITIONAL ALLOTMENT.—

8 “(A) IN GENERAL.—In addition to the al-
9 lotment under paragraph (1), the Secretary
10 shall allot each commonwealth and territory de-
11 scribed in paragraph (3) the applicable percent-
12 age specified in paragraph (2) of the amount
13 appropriated under subparagraph (B).

18 “(i) \$34,200,000 for each of fiscal
19 years 1999 through 2001;

20 (ii) \$25,200,000 for each of fiscal
21 years 2002 through 2004;

22 “(iii) \$32,400,000 for each of fiscal
23 years 2005 and 2006; and

1 (b) CONFORMING AMENDMENT.—Section 2104(b)(1)
2 of such Act (42 U.S.C. 1397dd(b)(1)) is amended by in-
3 serting “(determined without regard to paragraph (4)
4 thereof)” after “subsection (e)”.

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